

REMARKS

This amendment is included with is a Request for Continued Examination (RCE) and a credit card payment form PTO-2038, authorizing payment of the \$385.00 fee for this RCE.

Enclosed herewith is a letter from one of the applicants setting forth his explanation of the invention, its advantages and why he feels the low-cost device is novel and patentable. He also gives some of the reasons he feels it is patentable and includes a copy of an article from a magazine describing the invention and its possible use for homeland defense. The inventor asks that you take this letter and attached article into account when reviewing this response.

Also enclosed herewith are three (3) new sheets of formal drawings including previously requested and approved changes to Figures 1, 4 and 7. The examiner is requested to withdraw his objections and to acknowledge his acceptance of these 3 new sheets.

The examiner rejected claims 1 - 17 under 35 U.S.C. § 103(a) as being unpatentable over Mehaffey et al. in view of Kim and Hall et al. (1 and 10), and further in view of Conklin (2 - 9 and 11 - 17).

Claims 1 - 17 have been cancelled and new claims 18 - 29 submitted herewith.

It is Applicants' contention that the small, lightweight, low-cost, easily portable body, without an integral two-way radio, having a microprocessor coupled with a record/playback device with a non-volatile memory for providing an audio output that is a recorded or synthesized tone or voice, together with a microphone that records ambient sound, differentiates Applicants' invention from the prior art. Applicant's invention may have any type of separate device plugged into a jack or port in the body of the appliance to broadcast the audio output and ambient sound, and if the separate device includes it, video.

The primary reference to Mehaffey et al. cited by the examiner discloses a portable electronic security sentry system having a housing 11 in the form of a tower 14 with a base 12, an upper portion 16 and a cap 31. The housing 11 holds a microprocessor controller 22, a power source, a number of infrared

detectors 17, 21 and a two-way radio transceiver 28. The microprocessor 22 includes storage for a predetermined number of verbal commands to be broadcast by the internal two-way radio transceiver, upon sensing of an unauthorized intruder by the infrared detectors.

Therefore, although Mehaffey et al. discloses a portable system, this system is considered to be too complex and expensive, as well as too large, ungainly and costly to be used by local law enforcement personnel. Particularly, since it includes a self contained two-way radio in the housing 11. Furthermore, as admitted by the examiner, Mehaffey et al. does not include a microphone to locally record and then broadcast ambient sound. Moreover, Mehaffey et al. does not disclose the use of a port whereby a separate device, such as radio carried by law enforcement personnel, may be easily and quickly plugged into the portable body to monitor and broadcast audio, etc. Mehaffey et al. requires a more powerful, expensive microprocessor using more memory storage to enable his system to work. Therefore, it is Applicants' contention that Mehaffey et al. does not disclose or teach a low-cost portable device having the simplified and far less expensive combination of elements as presently claimed.

The secondary reference to Kim discloses a portable cellular phone having a digital camera security alarm system and a radio receiver, including a microphone. This device is also more complicated and expensive and not a simplified device for use with any separate device, such as the device disclosed in Kim. There is no teaching in Mehaffey et al. or Kim of how or why the two way radio feature would be removed or the references somehow combined to arrive at Applicants' claimed structure. This teaching is only found in Applicants' present invention.

Furthermore, although Hall et al. includes the use of a port, there is no teaching contained therein of why the two way radio of Mehaffey et al. or Kim should be removed and a separate transceiver used, as specifically required by the claims of the present invention.

Finally, although Conklin discloses a Portable intrusion alarm, it is of the type that includes a bracket for hanging on a door or the like and does not teach

the specifically claimed element called for in Applicants claims, or how or why the two way radio should be removed from Mehaffey et al. or Kim.

In summary, the suggested combination of the references cited by the examiner fails to provide motivation for and/or to disclose or teach Applicants' invention as claimed, without interfering with the operation of Mehaffey et al. and/or the devices disclosed in these references.

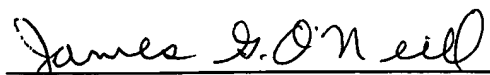
The examiner's rejections appear to be classic hindsight rejections where the examiner takes the teaching of the present application to pick and choose pieces from the cited prior art in an attempt to meet the terms of the claims. And, since there is no specific disclosure, teaching or motivation in Mehaffey et al. alone or when combined with the remaining cited references of how or why the two-way radio should or could be removed from the housing, a port added to the housing and a separate device, such as a cellular telephone or two-way radio plugged into the device, the examiner's rejections are improper and should be withdrawn and the claims set forth herein allowed.

Since seventeen claims, including three independent claims were cancelled and twelve claims, including three independent claims were added by this amendment, no further fee is required.

In view of the above, the Examiner is respectfully requested to allow this application and to notify Applicants accordingly. Or, if the Examiner has any questions with regard to this amendment he is respectfully requested to contact Applicants' attorney at either the facsimile or telephone number set forth below.

Very truly yours,

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August 2, 2004

To: Mr. Lam P. Pham
Patent Examiner

From: Steve Smith
Applicant

RECEIVED

AUG 11 2004

Technology Center 2600

Dear Mr. Pham;

I am writing to you because I am very frustrated that you don't seem to understand my invention and continue to deny me a patent. You have not cited one example of an existing product that is made to be an appliance to Hand Held Transceivers, be they business band radio types or cell phone types. All your examples go back in time to only take bits and pieces of other inventions, then cobble together (in fantasy) an existing Frankenstein mess and then tell me, "see this has already been done". Many of your examples are dedicated units; meaning all the parts stay together in the same enclosure, or state to make them function the same as mine sever modification is necessary. My invention is important to public safety and should be given considerations as such.

Please see the enclosed article by Angela Langowski in Mission Critical Communications, choosing my invention as one of the possible high tech tools for home land defense. Also I have several companies interested in making my product because of its uniqueness. Just so I am sure you are not distracted by all the legalize I am sure you are forced to look at daily, I would like to explain my invention. It is designed to make possible a rapidly deployable perimeter alarm when plugged into a vox capable hand held transceiver, and when the 2½mm sub mini cable that connects the Cyclops sensor to the input jack of the radio is removed the radio is just a radio, nothing is altered. I was thinking maybe the simplicity of my design was lost in the complexity of the legal explanation. In closing, I want to point out that engineers from Motorola, Kenwood, and Midland Radio and the staff and editors at Mobile Radio Technology and Mission Critical Communications, the foremost authorities in this country concerning radio and radio accessories, have said my product is valuable, unique and there in nothing like it. If I have to go to court and fight for this patent, I will subpoena these experts. But I really hope my letter clears things up. Thank you in advance for your approval.

Sincerely,


Steve Smith

RadioResource

MissionCritical™

August 2003

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By Angela Langowski

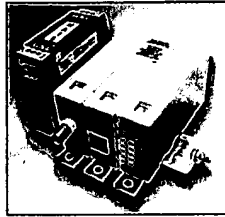
Digital Imaging/ Fingerprinting and Surveillance Equipment

Law enforcement agencies require secure access to their buildings due to the weapons, evidence, and sensitive information stored there. Because of the need for heightened security, the market for digital imaging, fingerprinting, and miscellaneous surveillance equipment ramped up after Sept. 11. Agencies and companies that are buying surveillance equipment are asking how they can integrate the products with their current security equipment, says Todd Stout, president of First-Watch, a provider of bioterrorism early warning systems. When buying equipment, they should consider the kind of 9-1-1 information they are monitoring and how they can best use it. Having the technology in place not just for disaster situations, but for use on a regular basis is important, he says.

Please use the reader service card on page 107 if you would like more information on any of these items or, for faster response, go to "Reader Service" at our Web site www.mccmag.com.

Atlantic Scientific Corp.

Video surveillance cameras are



rail-mounted ZoneBarriers protect video, pan-tilt-zoom (PTZ) control, and power feeds for most video cameras, according to the company. Visit the Web site www.atlanticscientific.com.

Circle #100

CeoTronics AG

CeoTronics AG's new CT-DigiCom digital induction speaker is a digital signal processor that is able to detect

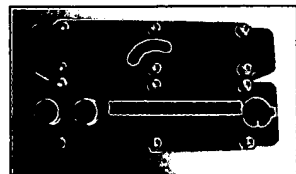


human language. Immune to electromagnetic interference and low-frequency or high-frequency radiation, an interference-free standby function prevents the initial radio signal of an incoming message from being lost. Depending on use and a user's hearing preferences, quiet signals or defined frequencies can be strengthened or automatically limited. The useful life of the batteries is 40 hours in permanent operations. Visit the Web site www.ceotronics.com.

Circle #101

CT-Video

CT-Video GmbH developed the CT-DigiMind miniature, real-time video recorder for mobile operations. Various cameras can be connected to the



recorder via the video input; pin-hole cams can be concealed in jacket buttons or tie-pins. The product uses MPEG-2 compression with adjustable bit rate and saves data to a PC flash card. The 1 GB compact flash card can record up to 110 minutes of images and sound. The recorder also comes with a 60

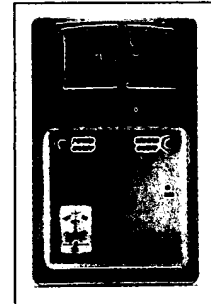
electrical transients as well as common utility surges because of their outdoor location. The company's DIN

GB hard disk. An integrated remote control with vibration feedback is used to start and stop recording. Visit the Web site www.ceotronics.com.

Circle #102

Cyclops Electronics

Cyclops Electronics' intrusion detection radio application uses hand-held radios. The product combines passive infrared motion sensors with a stored audio chip. The components are run



by a microprocessor, powered by a 9-volt battery, and housed in a fiberglass reinforced nylon body. The sensors connect to a portable radio via a cable in the input jack. The unit also works with radios with multipin connectors. Visit the Web site www.cycloseci.com. **Circle #103**

Dictaphone Corp.

The Freedom Vision single recorder allows video to be recorded from eight, 16, or 32 surveillance cameras. Each recorder is available in 120,



480, or 960 GB. All cameras on a recorder can be viewed

from a single monitor. The product allows multiple users to simultaneously access the system for viewing live video, searching and playing back historic video, saving video images, and performing administrative tasks. The product records video in a proprietary, motion jpeg format at a maximum of 30 frames per second per camera, to a system maximum of 240 frames per second. Visit the Web site www.dictaphone.com.

Circle #104

DTC Communications

The Flip Cam handheld infrared